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‘Spying for the People’: Surveillance, Democracy and the Impasse of Cynical Reason

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Abstract

This essay examines the Snowden affair as a sort of Rorschach test that traces the contours of what I am calling the impasse of cynical reason. In particular, I contend that the emerging form of algorithmic dataveillance both elicits and actively thwarts theoretical and critical approaches predicated on a normative, symbolic model of epistemology that this form aspires to supplant. As a result, what such approaches tend to discern in the emerging culture of surveillance are its own epistemological commitments – the very ones comprising the impasse of cynical reason. Breaking out of this impasse will thus require disrupting the deep, hidden complicity of such critique with its ostensible object. I contend that this will require taking seriously the often disingenuous or fallacious arguments on behalf of dataveillance in order to overcome the critical resistance to the quite genuine eventuality they connote – that of the decline of cynical reason as the prevailing form of social coordination.

Contributor Note

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The Snowden leaks have prompted a profusion of both public and academic commentary, much of it now extending well beyond more immediate concerns about the encroachments of the national security state, the role of the press in aiding what the state construed as a criminal act, and the implications of both the leaks and the surveillance programs they disclosed for civil liberties and democratic transparency. The commentary has evolved and expanded sufficiently to prompt one astute critic to add the concept of 'surveillance culture' to the more familiar 'surveillance state' and 'surveillance society' (Lyon 2017). If Snowden's act revealed or confirmed the emergence or consolidation of this new culture, it is because its reception by professional journalists and academics has ascribed this distinctive capacity to it. By the same token, the importance accorded to this act as a cipher for the emerging 'culture of surveillance' tells us something important about the impetus for and the process of deciphering it.

In particular, it seems that a certain enigmatic circularity has come to shape the burgeoning literature on Snowden, Big Data and 'surveillance culture' more generally. [1] Put very roughly and schematically, a prevalent strain of criticism demonstrates convincingly that the emerging regime of dataveillance represents a fundamental break with the social, political and epistemic premises that preceded it, while nevertheless insisting that it can only be understood and challenged on the basis of those outmoded premises. Moreover, the same critics assert that this new regime at once poses a grave threat and is little more than a feeble, pointless blunder destined to fail. To complicate matters further, this kettle logic (Derrida 1998) cannot be explained as either a contingent mistake or a symptomatic formation. This is because a certain social reflexivity, or what has been called the contemporary rule of 'cynical reason' (Sloterdijk 1987), functions precisely by proliferating such explanations (Luhmann 1996) which consequently no longer serve to resolve the symptoms they ostensibly unravel (Žižek 1999, 346).

What, then, can this kettle logic tell us about the prospect of coming to terms with the culture of surveillance if the very appearance of this culture threatens to blunt, if not obviate, the critical tools used to discern it? If there is an answer to this question, it will require grasping the predicament that gives rise to it – or what I am here calling the impasse of cynical reason. In what follows, I examine the Snowden affair as a sort of Rorschach test that traces the contours of this impasse. In particular, I contend that the emerging form of algorithmic dataveillance both elicits and actively thwarts theoretical and critical approaches predicated on a normative, symbolic model of epistemology that this form aspires to supplant. As a result, what these approaches tend to discern in the new regime are its own epistemological commitments – the ones that comprise the impasse of cynical reason. Breaking out of this impasse will thus require disrupting the deep, hidden complicity of such critique with its ostensible object. The analysis below is offered as a first step in that direction.

[1] I confess this is largely an impressionistic observation, even if it was earned by reading some three hundred articles and books on the subject. I trust readers familiar with the pertinent literatures will corroborate the impression, or at least concede that the patterns examined here are commonplace and influential.

A Marginal Anecdote

A month after Edward Snowden's revelations detailing the vast scope and dubious legality of NSA surveillance, the Slovenian newspaper *Delo* published an interview with Wikileaks founder Julian Assange (Krečič 2013), conducted from his asylum at the Ecuadorian embassy in London. The article's title alluded to Assange's remarks, in which he described his organization's activities as 'spying for the people', or rendering practices of surveillance publicly visible: 'If states have their intelligence agencies to spy on us and control us, should the people and history itself also not have their own counterintelligence?' By way of Wikileaks and whistleblowers like Snowden and Chelsea Manning, 'the people' can monitor those in power, fulfilling the defining ideal of democracy: 'In a way, we continue the old project of Enlightenment. We stand for what some philosophers call the 'public use of reason' – not only against private companies and interests but also against states and their apparatuses' (Krečič 2013).[2]

Almost immediately, Slovenian philosopher and cultural critic Slavoj Žižek published three versions of an editorial on Snowden and Assange (2013a, 2013b, 2014), endorsing and elaborating upon the latter's remarks to argue that the gesture of 'spying for the people' is not a direct negation of spying … but its self-negation, i.e., it undermines the very universal principle of spying, the principle of secrecy, since its goal is to make secrets public'. Accordingly, he concurs with his colleague Alenka Zupančič that the leaks were direct enactments of a genuine political alternative, a 'commons of information', or, as Assange puts it, a new 'people's encyclopedia' indispensable to struggles against the commodification of communication and ubiquitous surveillance.

For reasons that will become both plain and puzzling, Žižek contends that, against the 'shameless cynicism of the representatives of the existing global order *who only imagine that they believe in their ideas of democracy*, the proscribed revelations actualize the Kantian ideal of the public use of reason constitutive of democratic autonomy (2013b). Moreover, in stark contrast to his own longstanding views,[3] Žižek insists that 'Kant parts ways with our liberal common sense' when he 'opposes "public" and "private" use of reason: "private" is for Kant the communal-institutional order in which we dwell (our state, our nation…), while "public" is the trans-national universality of the exercise of one's Reason' (2013b). In rendering surveillance transparent, 'spying for the people' epitomizes the ideal that those in power earnestly proclaim but systematically subvert, enacting Kant's

[2] Subsequent events cast grave doubts on Assange's claim to be acting in the service of democracy. But the rhetorical efficacy of such claims in lending prima facie credibility to the leaks remains intact, and thus highly instructive.

[3] Žižek has consistently and cogently argued that the problem with Kant emerges precisely insofar he embodies the liberal common sense and thus marks the limits of democratic reason by identifying within it the principle of its own self-subversion. In other words, he has claimed both that Kant's views are perfectly consistent with the self-conception of liberal democracy, and that this form of democracy is not an ideal to be realized but an obstacle to be overcome. In fact, the key insight animating his objections to the Kantian view, coupled with his well-known critique of 'postmodern' cynicism, are precisely what is at stake in the question of surveillance.

'basic axiom of the public law: "All actions relating to the right of other men are unjust if their maxim is not consistent with publicity"'. A secret law, a law unknown to its subjects, legitimizes the arbitrary despotism of those who exercise it' (2013a).

Soon after the publication of Žižek's editorials, Mark Andrejevic, a leading theorist and critic of surveillance and related practices, offered his own vigorous defense of Wikileaks (2014), articulated in decidedly similar terms. Responding to the sharply conflicted public reception of Assange's revelations, he explains that 'WikiLeaks [sic] represented … a challenge to established practice based on a tacit understanding between political, economic, and media elites. … turning the tools of the informated elites back upon them' (2619). Citing an older editorial by Žižek, Andrejevic claims that 'WikiLeaks confronts established powers 'by challenging the normal channels of challenging power and revealing the truth (Žižek, 2011, para. 8)', channels that have been co-opted by those elites (2014, 2620). In sum, Wikileaks is carrying out the brief normally assigned to the press – the task of making power accountable to the public by 'contribut[ing] to the universalization of the 'inspection principle' (2627), a term coined by none other than Jeremy Bentham.

If indeed Assange and Snowden have carried out the duty of supervision reserved for the press, it would follow that they have fulfilled the Kantian ideal that Žižek, Dean (2002) and Andrejevic have painstakingly shown to be a prime cause of democracy's self-induced crisis, its complicity with communicative capitalism, and the decline of symbolic efficiency.

Žižek's awareness of this contradiction surely explains why he insists on distinguishing 'spying for the people' from the 'liberal common sense' embodied in the principle of supervision. Certainly, the journalists and pundits covering the leaks have no reason to think that their noblest professional ideals facilitate such perverse outcomes. And the problem may simply have eluded Andrejevic's notice.

However, scholars and critics of dataveillance routinely confront variations of this contradiction, which emerges symptomatically in the form of mutually refuting claims and concerns.

Notwithstanding the charge of cynicism on the part of the press, the proposition that 'spying for the people' is no longer spying but the exercise of democratic supervision also emerged as a dominant trope in news coverage of the Snowden leaks. This is surely because the whistleblowers themselves repeatedly lay claim to it, but also because journalists understand their professional role in normative democratic terms, as serving the interests of 'the people' by routinely exposing the machinations of official authorities to public scrutiny (Greenwald 2013; Nichols 2013; Engelhardt 2014; Friedersdorf 2014). Barton Gellman (2013) explicitly makes this point in his email exchange with Snowden:

> Perhaps I am naive', [wrote Snowden], but I believe that at this point in history, the greatest danger to our freedom and way of life comes from the reasonable fear of omniscient State powers kept in check by nothing more than policy

> documents'. The steady expansion of surveillance powers, he wrote, is 'such a direct threat to democratic governance that I have risked my life and family for it.

Pursuing the suggestive principle of 'reasonable fear' to its inevitable conclusion, James Risen, himself a target of Federal prosecution for publishing classified information disclosed to him, observed that:

> I don't think there's any personality that's more American than a whistleblower. … The entire personality and DNA of America [consists] of people who wanted to have their own kind of government and be free of oppression. And I think that is the heart of what a whistleblower is. It's somebody who believes that civil liberties or freedom or corruption are important issues that they need to talk about, and their right as an American is to talk about it with the press. (2013)

Risen here affirms the 'liberal common sense' encoded, contra Žižek, in Habermas's explicitly Kantian 'principle of supervision' as, precisely, a practice of surveillance functionally assigned to the press but conducted on behalf of and before 'the people' as the collective, if abstract, sovereign subject of democratic politics (Habermas 1974, 52). Appositely, the trope of public supervision has been indispensable to the critical literature on surveillance and Big Data (e.g., Allmer 2011; Fuchs 2011; Hier & Greenberg 2009; Gandy 2006; Lessig 1999; Lyon 2014; Marx 2004; Monahan 2010; Simon 2005; Turow 2014; O'Harrow 2005; Wood 2009). Indeed, even 'post-panoptic' and 'post-representational' analyses of dataveillance, despite their explicit rejection of discursive and intersubjective models of politics, continue to appeal explicitly to this principle (e.g., Haggerty & Ericson 2000; Lyon 2006; Andrejevic 2013; Amoore 2013; Bauman 2013).

In both public and academic debates on surveillance, then, the ideal of supervision by and for 'the people' is the ultimate court of appeal, epitomizing the 'liberal common sense' that Žižek nonetheless attempts to distinguish from its paradigmatic expression in Kant, which he has repeatedly argued signals democracy's inherent self-subversion and the source of its inevitable failure (Žižek 1991, 229–277; 1999, 322–369). Indeed, he has explicitly glossed the hacker fantasy [4] as an index of democracy's structural paranoia, which forms the obverse of its normative skepticism toward authority:

> the heroine … hunched over a computer, frantically works against time to … access … ultra-secret information (say, about the workings of a secret government agency involved in a plot against freedom and democracy, or some equally severe crime). Does this topic not represent a desperate attempt to reassert the big Other's existence, that is, to posit some secret Code or Order that bears witness to the presence of some Agent which actually pulls the strings of our chaotic social life? (1992, 264)

The double gesture of disavowal is suggestive. On the one hand, Žižek's endorsement of Assange and Snowden

[4] Represented in the 1995 film *The Net*.

directly contradicts his own previous critique of both Kant and the principle of publicity as politically disabling. On the other hand, it contradicts his own prior critiques of such acts as exemplars of the paranoia engendered by the principle of publicity.

Whether 'spying for the people' is authentically Kantian in its putative break with liberal common sense, or the exemplary instance of this common sense, the outcome is the same: the principle of publicity is at the heart of the problem with democracy that Žižek has diagnosed. In his view, appeals to democratic transparency drive the 'decline of symbolic efficiency' intrinsic to the reflexive regime of communicative capitalism (Žižek 1999, 322–369; Dean 2002). From this perspective, there are two equally intolerable alternatives: either the leakers are fulfilling the paranoid fantasy of positing a new Master, or their revelations actualize the principle of supervision, thereby disabling political agency by feeding the endlessly escalating glut of information that replaces and forestalls the collective autonomy it purports to realize.

This is why the quixotic attempt to extricate 'spying for the people' from its central place in the democratic imaginary is not a contingent error but is rather emblematic of a wider predicament confronting critical surveillance studies. It is no accident that, while he leans heavily on Žižek's work to explain the conjunction of cynicism and paranoia produced by the democratic dissolution of symbolic authority, Andrejevic (2013) nonetheless advocates *more public supervision* of new information technologies and practices. The logic of Bentham's 'inspection principle' driving 'infoglut' is called upon to solve the problems it generates, confirming Jodi Dean's (2002) diagnosis of publicity as the primary ideological vehicle of communicative capitalism.

It would seem, then, that 'spying for the people' designates a kind of double bind. As paranoid fantasy, it justifies the dismissal of democratic supervision as a kind of fetishistic compulsion. But as the materialization of democracy, it reinforces the regime it is supposed to contravene. Critics of dataveillance are compelled to appeal to it, but in so doing, they risk becoming helpless collaborators with the 'system of distrust' (Dean 2002) on which communicative capitalism relies. Finding our way out of this predicament will require looking beyond the norm of publicity to grasp the full epistemic implications of the *algorithmic form* and *speculative function* dataveillance is rapidly assuming.

This is evident in the way ritual appeals to the principle of supervision beg the question they purport to answer, confronting us with ostensibly irreconcilable conceptions of 'the people' of democracy. Public discussion of Snowden has framed him as either a patriot or a traitor, highlighting the vexing but paradigmatic convergence between citizenship as compliant membership and citizenship as critical distance, or even perpetual recalcitrance, refusal or rebellion (Kaplan 2010). Moreover, as Žižek and others have long argued, the convergence is integral to liberalism's depoliticizing project, which here emerges as a disorienting overlap between critical public discourse and paranoid conspiracy fantasies (Dean 2000). So understood, 'the people' of democracy is inherently self-destructive,

since its 'supervisory' function in relation to official authority amounts to obligatory political cynicism. 'Spying for the people' is perhaps the most succinct formulation of this mandate, which configures politics as an interminable hermeneutics of suspicion, and so rationalizes ignorance, apathy and normative skepticism toward both authority and expertise (cf. Downs, 1957; Cappella & Jamieson, 1997), facilitating the commodification of public discourse by the circuitry of digital communication.

What, then, are we spying for when we are 'spying for the people'? The answer I sketch below is that this rhetorical gesture signals something more and other than a 'return' to the foreclosed principle of publicity and the necessarily self-defeating recuperation of democratic supervision. Instead, I argue that the Snowden controversy encapsulates the ongoing confrontation with an algorithmic mode of dataveillance (Clarke 1988) that undermines the social imaginary within which the counterfactual category of 'the people' – operationalized in the principle of supervision – has long played a decisive, if ideologically ambiguous, role. If the rhetoric of liberal democracy organizes a reflexive pragmatics around the empty place of power and a corresponding semantics of 'the people' as the notional agent of supervision (inaugurating the crisis of symbolic investment and the reign of cynical reason), algorithmic dataveillance undertakes to dispense with both understanding and its reliance on the interpassive structure of belief, and so with judgment and decision, as the governing principles of social life. Where the decline of symbolic efficiency denotes a crisis of *authoritative knowledge* on which subjects can rely and from which they can conceal secrets, the secret now being 'exposed' is that knowledge itself – understood as meaning generated through processes of signification articulated to intersubjective economies of affective investment – is being delaminated from the production and maintenance of social order.

Understood from this vantage, the wistful, incongruous call for democratic supervision of surveillance harbors an aspiration to evade the challenge algorithmic dataveillance poses for the forms of knowledge, authority and symbolic action presupposed by the principle of supervision itself. Hence the problem is not that surveillance abrogates privacy and the public use of reason, but that its emergent form threatens to extricate the symbolic order from the democratic imaginary, rendering this order autonomous.

Democracy, Communicative Capitalism and Cynical Reason

To discern the problem, consider Žižek's intertwined critiques of Kantian publicity, democracy, and the decline of symbolic efficiency. In his early work, Žižek (1989) detects a homology between his own Lacanian theory of politics and Lefort's (1988) account of democracy:

> The Lacanian definition of democracy would then be: a sociopolitical order in which the People … do not exist as a unity… Because the People cannot immediately govern themselves, the place of Power must always remain an empty place; any person occupying it can do so only temporarily, as a kind of surrogate, a substitute for the real-

> impossible sovereign … (1989, 165)

However, he soon becomes skeptical of the notion that democracy is consistent with Lacanian theory (Žižek 1991). Reading Kant through Lacan, Žižek observes that in deriving the universality of the moral Law, Kant deprives it of all particular ('private') motivation, so that the subject must act without any 'pathological' reason, out of duty alone. For Kant, the force of this duty derives from two interrelated sources. First, the subject gives himself the law in the form of a maxim that universalizes the *subject's rational interest* in maintaining moral order. Second, the subject is obliged to follow this maxim because reason dictates it: the self-binding device of the maxim is futile if its verdicts can simply be ignored. So the question becomes: why should the subject of this Law remain bound by reason? It would not do to answer by returning to the subject's interest in establishing the maxim, for this interest cannot ground the integrity and force of reason without instrumentalizing it.

This is where Lacan and Žižek detect an implacable injunction to obey arising out of supreme indifference to the subject's welfare: 'What does the subject discover in himself after he renounces his 'pathological' interests for the sake of the autonomous moral law? … An unconditional injunction which exerts ferocious pressure upon him, disregarding his well-being' (Žižek 1991, 240). If this is so, the character and function of Kantian Law must be rethought. Rather than *commanding* the subject to obey, the Law *intercedes* between the subject and the insatiable superego, *liberating* the former from the latter's ruthlessness. The Law (as eroticized reason) permits the subject to organize its enjoyment by routing it through the symbolic order, which consequently depends on subjective economies of enjoyment for its efficacy.

This leads Žižek to reformulate the logic of democracy in terms of

> 'a certain fetishistic split: *I know very well* (that the democratic form is just a form spoiled by stains of 'pathological' imbalance), *but just the same* (I act as if democracy were possible). Far from indicating its fatal flaw, this split is the very source of the strength of democracy: democracy is able to take cognizance of the fact that its limit lies in itself, in its internal 'antagonism'. (Žižek 1992, 168)

Yet this strength becomes the overriding problem once the question of enjoyment is reintroduced: if public Law intercedes between the subject and the superego, the explicit stipulation that this Law derives legitimacy from the subject itself leaves the latter at the mercy of the ruthless superego. Worse, absent a 'pathological' ground, the superego now speaks precisely from the empty place established by the autonomous Law.

Politically, a variant of this conundrum compromises 'the people' of democracy. The law that this people gives itself presupposes the existence of this people, which can only appear on the scene as the subject of this law. In Žižek's account, the standard solution to this paradox is to impute universal founding authority to an embodied people – an ethnos, nation, tribe, social class, party, etc. But with this democracy is inverted: no longer a formally empty universal, it is the hegemonic project of a

determinate group. The only alternative is to maintain the empty place of power at all costs by preventing anyone from occupying it. Alas, this is the formula for Jacobin terror, which treats any aspirant to authority as ipso facto a traitor to 'the people' (1991, 268). Not without irony, Žižek even defends Hegel's claim that only a monarch could properly resolve this democratic deadlock by occupying, and thereby maintaining as formally empty, the place of power (1991, 269).

Yet Žižek is not arguing that democracy is impossible or inherently dysfunctional. Rather, his point is that this the paradox of 'the people' explains how democracy, in obliterating extramundane authority, comes to preempt politics proper:

> Democracy is … not only the 'institutionalization of the lack in the Other' … By institutionalizing the lack, it neutralizes – normalizes – it, so that the inexistence of the big Other … is again suspended: the big Other is again here in the guise of the democratic legitimization/authorization of our acts – in a democracy, my acts are 'covered' as the legitimate acts which carry out the will of the majority. In contrast to this logic, the role of the emancipatory forces is not to passively 'reflect' the opinion of the majority, but to create a new majority. (2008)

This is the point of departure for Jodi Dean, who draws extensively on Žižek to argue that the principle of publicity derived from Kant forms the ideological fulcrum of 'communicative capitalism'. Dean shows 'that democratic politics has been formatted through a dynamic of concealment and disclosure, through a primary opposition between what is hidden and what is revealed. The fantasy of a public to which democracy appeals and the ideal of publicity at its normative core require the secret as their disavowed basis' (2001, 625). As a consequence, today 'the ideal of a public sphere functions as the ideological support for global technoculture', including practices of surveillance and their analogues (2001, 626).

Following Žižek's dictum that today ideology consists of activities and processes that embody beliefs no one may espouse, Dean explains how 'Practices of concealment and revelation materialize belief in … the public … as precisely that subject from whom secrets are kept and in whom a right to know is embedded' (2001, 629) [5]. Beyond sustaining the fiction of 'the public', the practice of exposing official secrets postulates, in order to forestall, the possibility that deliberation and judgment will take place – *if and when* sufficient information becomes available. Thus publicity entails more publicity, becoming an end in itself and capturing citizens in a circuit of enjoyment derived from endlessly repeated acts of disclosure, forever deferring the promised gratification of collective judgment, decision, and action. As Dean puts it, the principle of publicity

> holds open the possibility that the judging public will judge correctly, the possibility in which the believing public needs to believe. The secret marks the absence necessary to sustain belief in the public supposed to know. It's that

[5] As Michael Schudson (2015) has shown, the right to know is a recent innovation, emerging in the post-war period along with the rise of the mass media.

> missing information warranting the rightness of the opinion of the public tribunal. Once they have the information, the truth, their judgment will embody the certainty they already have. (2001, 631)

Accordingly, 'Publicity, in realizing or materializing itself in the practices of contemporary technoculture, negates itself' (2001, 628). Meanwhile, the implicitly cynical ideal of publicity gives technoculture its specific shape as its 'emphases on autonomy and transparency lead to precisely that 'system of distrust' or suspicious subjectivity' that defines liberalism's conception of power as an empty place, to be occupied only precariously (2001, 638).

Insofar as Dean follows Žižek, her demonstration that publicity subverts rather than fulfills the promise of democracy stands in stark contrast to Žižek's own endorsement of the whistleblowers as 'spies for the people'. How, then, do we understand the manifest conflict between these two Žižeks, the one for whom the disclosure of secrets embodies the public use of reason by negating the very principle of secrecy, and the one for whom publicity is what preempts democracy, forestalling the public use of reason it is supposed to enact? Or, what does the emergence of this antinomy within the logic of publicity and its materialization in surveillance on the one hand and whistleblowing on the other tell us about the predicament democracy confronts when it stakes itself on the principle of supervision?

The Paradox of Democratic Transparency

Dean's answer derives from Žižek's thesis concerning the decline of symbolic efficiency, which she depicts as an effect of the investment in publicity. In Žižek's account, reflexive modernity facilitates the collapse of ('paternal') symbolic authority whose prohibition sustains subjectivity and social bonds. The result is

> a fundamental uncertainty in our relation to our world. We aren't sure what will happen; we can only speak about probabilities … Likewise, we aren't sure whom to rely on, who has the best data or the most impressive credentials. Arguments or authorities persuasive in one context can have no weight in another one – primarily because there are lots of different kinds of authorization. … There isn't an automatic connection or coordination among contexts. (Dean 2002, 131–2)

It follows that 'expanded communication fails to address techno-culture's demands and uncertainties because it intensifies them' (Dean 2002, 130). Ritualized public deflation of symbolic authority produces paranoid fantasies of hidden conspiracies that must be exposed again and again, in a self-perpetuating feedback loop indistinguishable from the principle of publicity.

Lacan himself famously foresaw the consequences of this 'liberalization', rebuking the activists of May '68: 'What you aspire to as revolutionaries is a master. You will get one' (1991, 207). In place of a master signifier invested with

authority and undergirded by Truth, Lacan envisions the rise of University discourse, a social logic wherein subjects are addressed by expert knowledge that presents itself falsely as devoid of normative authority, enjoining the subject to 'decide for herself' without the aid of generally binding criteria. Consequently, with 'the collapse of the big Other … there is authority, but the subject is a remainder; … authority is not subjectivized' (Dean 2006, 85). With this, the fiction of Big Brother characteristic of the Master's discourse is replaced by that of 'Little Brothers' – experts and functionaries charged with developing empirical knowledge, procedural rules and ethical guidelines to orient institutional and individual decision-making. The rationale underpinning the proliferation of Little Brothers is the nonexistence of a compelling symbolic Law governing social life.

Still closely following Žižek, Dean explicitly identifies the rule of Little Brothers with proliferating surveillance: 'Big Brother may not be watching, but Little Brothers are. Surveilling our transactions and disseminating our secrets, a global network of Little Brothers trades in information. … Little Brothers represent themselves as all of us, for all of us' (2002, 79). She recalls Žižek's example of Bill Gates, who

> is not only no longer the patriarchal Father-Master, he is also no longer the corporate Big Brother … he is, rather, a kind of *little brother*: his very ordinariness functions as the indication of its opposite … that … can no longer be rendered in public in the guise of some symbolic title. (Žižek 1999, 347)

Gates's 'Power rests not on secrecy but on ubiquity – it can't be avoided; it's everywhere' (Dean 2002, 82). It does not fear publicity but thrives on it. Indeed, 'the era of Little Brothers … emerges through … *an attack on* Big Brother' (2002, 83), suggesting that the decline of symbolic efficiency is not simply a historical transformation but a rhetorical project or discursive production.

Dean's incisive reconstruction and critique of the principle of publicity through Žižek's account of the decline of symbolic efficiency makes it tempting to see recourse to the public use of reason as a nostalgic effort to revive the fiction of the big Other. If 'the People' requires the specter of self-serving contenders for the empty place of power, the national security state is an ideal candidate for the job. No doubt Dean would concur that the appeal to transparency – 'spying for the people' – is all but destined to serve the democratic fantasy that operates precisely by precluding the political transformation it purports to enact. Everything goes on as it has; 'the people' have been duly informed and can now register their moral outrage and sober critical analysis in the digital public sphere. In a bitter irony no scholar of the attention economy should fail to grasp, 'spying for the people' vitiates democracy by performing publicity.

Yet such a judgment would obscure a still more insidious process at work. The problem surveillance figures in its public guise is not reducible to that of the decline of symbolic efficiency and the self-subversion of democracy. Beyond either of these, at stake is the decoupling and transformation of operational knowledge and the symbolic order catalyzed by the conjunction of

ubiquitous surveillance, Big Data and algorithmic techniques. Put differently, it is not symbolic efficiency but *its putative decline* – that is, the cynical, interpassive logic of 'knowingness' (Andrejevic 2013) – that now emerges as the 'lost object' to which 'spying for the people' responds.

Recall that Dean understands surveillance technology as embodying, rather than inaugurating, the overlap between the norm of publicity and the decline of symbolic efficiency:

> New technologies have virtually eliminated the barrier to the realization of the public sphere. In the networks of mediated technoculture … The demand to know … extends throughout the social as the compulsion to search, find, and link exteriorizes belief in technologies of dissemination and surveillance … (2001, 640)

This realization and intensification of the publicity principle provokes a crisis, since

> The endless exposure of ever more secrets, the continued circulation of critical reflection, hails each as an expert entitled to know, even as it undermines any sense that anyone knows anything at all. Precisely because each is an expert, no one believes in the expert opinion of anyone else. Everybody has to find out for themselves. (2001, 643)

Less polemically, Niklas Luhmann depicts this phenomenon as the operationalization of reflexivity, whereby social systems function by submitting their own programming to routinized scrutiny in order to identify the blind spots it inevitably generates. As a result, such systems function by 'exposing' the cognitive deficits produced by their own operational distinctions, continually marking the *unity* of cognition with such deficits.[6] Hence the University discourse of reflexive modernity posits knowledge as the ongoing, functional (re)production of its own limits, and thus axiomatically lacking normative authority. Hence the mundane operation of reflexive systems is now often indistinguishable from endlessly recurring system failure.[7]

This paradox entails that the production of knowledge is *in itself* the assertion of lack, as well as its converse. Systemic reflexivity uncouples knowledge from normativity, rendering each functionally contingent. As a result, not only is everyone entitled – or enjoined – to know or to have an opinion; knowledge comes into view in the guise of opinion, partial and undermined in advance,

[6] This productive coincidence of knowledge with its own incompleteness is precisely what Foucault identified as the guiding principle of liberal political economy, whose paradigmatic *topos* is the impossibility of sovereign knowledge. The political principle of supervision over the empty place of power has its counterpart in market theory: 'Kant…had to tell man that he cannot know the totality of the world. Well, some decades earlier, political economy had told the sovereign: Not even you can know the totality of the economic process. There is no sovereign in economics. There is no economic sovereign" (Foucault 2008, 283).

[7] That is, the effective operation of reflexive systems positions authoritative determinacy as a functional criterion of discrimination. Such systems 'recognize' or specify cognitive deficits by reference to this criterion. The aim is never to eliminate the deficits but to carry out new operations in response to them. In this sense, reflexive systems are governed by the Lacanian logic of drive: each operation is designed to 'miss' what appears to be its 'aim', but this appearance should not deceive us – the aim is the operation itself.

declaring its own incapacity in the intentional structure of its form. Moreover, this renunciation of normative *authority* is precisely the source of knowledge's *legitimacy*. It counts as knowledge precisely to the degree that it disavows any claim to authorize, ratify or compel a course of action, and the moment it is marshaled on behalf of concrete policy initiatives, it ceases to appear *as* knowledge altogether.

Crucially, however, the anxiety-producing short-circuit Žižek identifies with cynical reason remains a resolutely *symbolic* operation. Cynicism presupposes a semiotic/rhetorical articulation between knowledge and authority that it promises, undercuts, defers, eroticizes, transgresses, denounces, etc. By contrast, the anxiety surrounding algorithmic dataveillance is that the form of knowledge it claims to produce is no longer supposed to be symbolic at all. If so, the problem is more than the adequacy or legitimacy of what either Big Brother or Little Brothers can be imagined to know or demand; it is that neither is pertinent even to our normatively cynical relationship with it.

Prohibiting the Impossible

If pervasive social reflexivity mandates cynical and/or paranoid economies of enjoyment organized around endless re-articulations of knowledge and authority, algorithmic dataveillance threatens to abolish such economies altogether. This becomes evident in the symptomatic contradiction between the prevailing concerns about the consequences of surveillance. In his *Delo* interview, Assange explains that

> The agencies whose activities we disclose can only thrive in shadow, they are like creepy and sleazy beetles which start to run around in panic when the stone which was shielding them from the daylight is torn away. This is why our revelations weakened their authority. Once their acts are rendered public, we no longer really fear them, we all of a sudden see them in their misery and vain arrogance mixed with stupidity. … They are definitely not real life James Bonds. More a vast number of sickly office workers dreaming about their next holiday.

One cannot fail to detect Assange's pleasure in humiliating these impotent spies – a pleasure that for Žižek defines contemporary ideology, wherein 'the superficial cynicism of Western individuals conceals subjects' unconscious, conformist identifications with the existing order, actually supported by the enjoyment we take in pointing out the corruption and incompetence of our leaders, bosses and bureaucrats' (Sharpe & Boucher 2010, 98). This is precisely the enjoyment animating Assange's critique of Little Brothers, fueling the gleeful drive to 'make things public'. Invoking Arendt, he goes on to affirm that today the banality of evil resides in bureaucratic stupidity and perverse institutional outcomes, rather than malign intentions. Thus the ultimate incapacity of the surveillance apparatus inheres in its very activity: the security project as such is absurd; it cannot succeed; it is self-defeating; and its threat lies chiefly in its obscurity and misprision.

Notice that, despite Žižek's depiction of the whistleblowers' acts as conduits for

public reason, Assange's primary claim is *not* that 'the public' will be able to use the leaked information to supervise, debate, judge, direct, or impede the actions of the authorities (whom he hardly regards as 'our' representatives possessing the requisite symbolic status). Instead, the true force of the revelations is that *they expose not power but impotence* – a lack concealed by secrecy. Nor is this impotence reducible to a legitimacy gap resulting from the cynical hypocrisy of their behavior. After all, they are 'just like us' – ordinary functionaries in a massive, clumsy bureaucracy who display no distinguishing feature that might legitimize their access to the levers of power. Yet what surprised Assange most 'was the blindness and ignorance of the average personnel in the US intelligence, diplomatic and defense establishment. … they are so obviously unable to draw a coherent global picture from the billions of data they collect'.

What, then, is the source of his disgust – that 'they' are illicitly watching, or that 'they' *lack the capacity to make sense* of what they see? For an anarcho-libertarian like Assange, it is surely the latter: someone *must* be watching, working tirelessly to occupy the empty place of power. But if watching yields no knowledge, then it poses no threat – and therefore puts in jeopardy the very principle of freedom arrogated to the collection of individuals he calls 'the people'. On its own, the 'discovery' of stupidity or incompetence should hardly be surprising; it reassures by confirming the axiom of reflexive modernity pivotal to the structure of fetishistic disavowal: 'I know very well that those in power are effete minions just like me, but nevertheless I must keep my secrets from them'. Clearly a more vexing possibility disturbs Assange: it is not only or primarily for reasons of incompetence that no coherent global picture has emerged, nor even because such a picture is impossible – both are defining postulates of cynical reason.

In reprising this paradigmatic ideological gesture, then, whistleblowers demand that the NSA be prohibited from doing what they triumphantly demonstrate it cannot do – a gesture that Žižek himself repeats, and one entirely consistent with explicit official justifications of dataveillance. Likewise, the kettle logic of this demand pervades the critical literature on surveillance and Big Data, up to and including most 'post-panoptic' approaches predicated on displacing the conceptual priority of the citizen-subject in favor of a focus on ubiquitous control strategies deployed across distributed populations and spaces of agency. Even here it is common simultaneously to accept and reject the claims made on behalf of algorithmic dataveillance, so that extraordinary power is attributed to the apparatus even as it is dismissed as futile.

To take an apposite example, Kate Crawford (2014) identifies what she calls 'surveillant anxiety – the fear that all the data we are shedding every day is too revealing of our intimate selves but may also misrepresent us'. To this she juxtaposes its 'conjoined twin' – the 'anxiety of the surveillers … that no matter how much data they have, it is always incomplete, and the sheer volume can overwhelm the critical signals in a fog of correlations'. Indeed, she asserts that this is 'why Snowden's revelations are so startling: they make it possible for us to see the often-obscured concerns of the intelligence agencies'. Like Assange, she thus performs a

parody of the very hermeneutic crisis she is depicting: now, it is *the failure to know* that is the true secret being concealed from the ostensible objects of knowledge and control.

But if data collection systematically defers the knowledge it seems to promise, then this promise itself must be interrogated. What if 'The current mythology of big data' is *not* 'that with more data comes greater accuracy and truth'? Certainly, Big Data evangelists have consistently claimed something entirely different. In a gesture typical of Big Data's proponents, David Weinberger (2016) argues that, among other things, knowledge is rapidly becoming intrinsically fragmented, distributed across dynamic networks in such a way that it would cease to function as knowledge at all if forced into legacy forms predicated on integration and representation. Distributed, networked and supersized, data becomes useful and actionable *on condition that it does not become knowledge* in the conventional sense:

> As the rules of behavior become more complex, we lose that sense, which may be illusory in any case. … We can model these and perhaps know how they work without *understanding* them. They are so complex that only our artificial brains can manage the amount of data and the number of interactions involved. (195)

On this account, Big Data analytics disallows the symbolic game that works by vesting knowledge in authority and vice versa – even if only to deploy this investment cynically by organizing enjoyment around gestures of unmasking and humiliating the impotent big Other. Such games are neither possible nor effective within the epistemic regime of infoglut.

To be clear, the contention is not that the arguments on behalf of Big Data are credible or its promises viable; it's that critics persistently refuse to engage the arguments entirely, opting instead to ascribe to the advocates views that their arguments explicitly refute. For every Anderson (2008) or Mayer-Schönberger (2013) arguing assiduously that Big Data inaugurates a new epistemic age, there is a Floridi (2012) or Frické (2015) insisting that Big Data is uninformative outside the strictures of scientific epistemology. Never mind that the actual claim is not that Big Data can produce scientific knowledge in its standard form *without* relying on hypotheses, but precisely that it can generate a functionally equivalent but entirely different form of 'predictive power', so that 'We have a new form of knowing' (Weinberger 2011). And never mind if organizations presumed to be deluded that more data yields accuracy and truth are instead proceeding from the premise that 'the usefulness of big data rests on their steady updatability' (Constantiou & Kallinikos 2014).

What if the fact that 'The risk of being seduced by ghost patterns in data increases with the size of the data sets' (Crawford 2104) is central to the entire project, for better or worse? This axiom is certainly central to Andrejevic's argument, which demonstrates convincingly that the surplus of data – infoglut – is not a problem but a strategy. What looks to Crawford like anxiety – an NSA PowerPoint slide ostensibly asking, 'What can we, the Little Brothers overwhelmed by data, tell?' – is the

operational principle of communicative capitalism.

After all, what emerges in the very act of divulging such an exorbitantly vast archive of documents is that such a comprehensive picture – the requisite point of departure for collective deliberation postulated by the principle of publicity; or a panoptic snapshot of security threats – cannot be the goal. The massive aggregation of data presupposes the impossibility of understanding and interpretation; there could be no hermeneutics, suspicious or otherwise, capable of conferring upon it the structure of a text – even an unbounded and irreducibly contested one. This is why Snowden's decision to release the documents through the journalistic filter cannot fully be explained in terms of his avowed wish to comply with the strictures of national security and the norms of publicity. The decisive function assigned to this filter consists in its presumed capacity to 'read' the documents, to transform them into both evidence of official transgression and into a more or less coherent text capable of ascribing both cognitive and strategic competence to the state. Greenwald, Poitras, Gellman, et al. become Snowden's agents in the project of endowing the national security apparatus with a grounding in discursive logic that his trove of documents declares obsolete. Their assigned task is to render legible a database whose very existence and form make acts of reading superfluous – and with them, the entire notion that social life is predicated on symbolic activity. Searching for understanding and normative meaning in those documents entails submitting them to a procedure that Big Data aims – however inanely – to supersede (Anderson 2008). Beyond salvaging the fiction of a big Other from its long decline facilitated by the public use of reason, it is in this precise sense that we should understand 'spying for the people', namely, as the activity of recuperating 'cynical' symbolic operations purportedly deposed by algorithms and Big Data.

If algorithmic dataveillance proclaims the end of the 'hermeneutic' model of the symbolic as the matrix of sociality, it signals a far more serious challenge than the decline of symbolic authority and the rise of cynical reason, which remain predicated on this model. Where symbolic Law institutes a prohibition that establishes a range of possible economies of enjoyment, algorithmic dataveillance renounces the normative proposition in favor of statistically emergent contingencies. Where prohibition yields suspicion of the deviant, dataveillance values the insights generated by departures from statistical uniformity. Where symbolic knowledge entails attributing, understanding and addressing structures of motivation, dataveillance abandons causality in favor of correlations. Where knowledge serves to establish authority and underpins judgment, dataveillance claims neither; its value is intrinsically speculative, derived from a stochastic range of possible transformations across multiple contexts. In fact, the performative capacity of algorithmic dataveillance is proportionate to the indeterminacy and deferral of its value as information.

Some, such as Haggerty, Massumi, Amoore, Bauman, and others, have laid out an alternative approach that seeks to break with the 'representationalist' premises underlying most critiques of dataveillance. But even these remain wedded to a hierarchical model that

ascribes epistemological and agentive privilege to what amount to Little Brothers. David Lyon, among the most astute scholars of surveillance, observes in relation to the Snowden revelations that

> Now bulk data are obtained and … aggregated from different sources before determining the full range of their actual and potential uses and mobilizing algorithms and analytics not only to understand a past sequence of events but also to predict and intervene before behaviors, events, and processes are set in train. (2014, 4)

Even as he endorses the standard critique according to which algorithmic dataveillance curtails democratic freedoms, Lyon's own analysis here refutes its underlying premises. Here, knowledge is no longer composed of information governed by understanding. Instead, dataveillance mandates and multiplies indeterminacy, so that action can *take the place* of understanding, on the basis of statistical possibility rather than 'intelligence'. The operational principle precludes grasping 'a past sequence of events' as anything other than a contingent confluence, governed not by causal principles but by emergent correlations among proliferating variables – and thus not governed at all. The ostensible object of knowledge is abolished in advance by means of this recursive form of knowledge. Decisions become self-referential and interminably speculative, as each intervention produces additional variables and correlations to track and analyze.

Likewise, the standard critical claim that *'Raw Data' Is an Oxymoron* (Gitelman 2013), because its collection and analysis requires normative assumptions about what counts as data and performatively imposes those assumptions on the social world, overlooks the way data come to be treated as 'raw' by being endowed with indeterminate, speculative value. The form of their eventual utility is not stabilized or prescribed in advance and thus is not governed by prior normative expectations, which may themselves come into view only through algorithmic data processing. As Amoore (2013) demonstrates, Big Data acquires value as information still to come; it is more valuable 'raw' than 'cooked' – that is, outside assimilation as knowledge, confined to ambiguous opacity – this is essential to its utility.[8]

Exposing hidden motivations behind the data[9] is far more reassuring than confronting the implications of this novel, feral form of rawness, insofar as always already 'cooked' data figures algorithmic procedures as fundamentally representational. Hence the operative question is

[8] Amoore sees data speculation as a feature of a new logic of sovereignty. Following Massumi (2010), she argues that the speculative character of Big Data creates the conditions for more or less arbitrary decisions, legitimated by the very impossibility of rendering data intelligible. Though sympathetic to this line of argument, I nonetheless contend that even the logic of sovereignty is rendered virtually obsolete by algorithmic correlationism, which promises to bypass the exercise of authority by facilitating forms of intervention that don't register as decisions at all, because they consist in modifying the relative probability of possible events. Against the force of her analysis, Amoore's investment in the category of sovereignty turns her provocative insights into an argument for more democracy.

[9] And it's worth noting that, ideally at least, Big Data means approaching n=all (hence 'total awareness'), thus obviating the distorting influence of preconceptions as to what counts.

whether the 'right' sorts of meanings will be produced, by whom, and toward what ends. The salient risk is that of misrepresentation, distortion, or false attribution. In this vision of encroaching surveillance, the citizen-subject is precluded from speaking for itself, as itself, in its own words; the data speak her into being through the ventriloquism of the surveillance apparatus. Even the stipulation that 'far from there being an 'all-knowing state, what we have instead is a plethora of partial projects and initiatives that are seeking to harness ICTs in the service of better knowing and governing individuals and populations' (Ruppert 2012, 118) continues to rely on this fantasy. For Lyon, 'These data 'make up' the people in the system purview, in ways that are constantly shifting, fluctuating. In this way, a neo-liberal logic of control fits neatly with the ways that individuals are 'made up' by data' (2014, 6.) In place of Big Brother, we find the incorrigible logic of neoliberal biopolitics; and in place of concrete albeit alienated subjects, we find 'data doubles' that performatively impose on us a pre-defined set of available options and practical life chances. Yet as soon as we see that these fictional objects function as algorithmic reiterations of social roles, it becomes increasingly difficult to discern the difference between cybernetic control and conventional symbolic power.

Politically and methodologically, this implies that even the most farsighted critiques of techno-culture don't quite suffice. Even when it breaks with panopticism and turns to theories of distributed control and speculative or preemptive intervention, the critical literature on surveillance after Snowden continues to display the kettle logic implicit in Assange's claim to be 'spying for the people', wherein algorithmic dataveillance must be prevented from learning what it cannot know – yet should. This is evident in the line of critique that accepts the claims made on behalf of algorithmic correlationism, arguing that the latter suffers from 'Big Data hubris' (Lazer et al., 2014). Echoing Assange, here the big Other is watching but cannot see, losing sight of both individuals and their enmeshment in collective life (Amoore 2014, 111). Ironically, this amounts less to a defense of democracy than to a call for 'conventional methods', or a return to the primacy of authoritative symbolic knowledge. In other words, whether formulated as a critique of the epistemic excess of algorithmic dataveillance or of its epistemic lack, the demand for democratic supervision – the public use of reason, or 'spying for the people' – functions as a demand for the transgression of symbolic authority that the leaks exposed as superfluous.

Symbolic Efficiency after Cynicism?

To be sure, corporate dataveillance is an insidious form of exploitation, and the operationalization of cynicism so cogently elucidated by Dean and Andrejevic really does immunize entrenched political interests from the force of critical reason. However, the ongoing transformation in the structure of knowledge and its disconnection from authority involve consequences that the categories of transgression, exploitation and cynicism inadvertently occlude. This is because the decline of symbolic efficiency can no longer account for the paranoid fantasy of an intrusive, ubiquitous Other of the Other in the shape of the national security apparatus and its corporate collaborators. Similarly,

the fact that data always serves some interests at the expense of others is not sufficient to ground efficacious critique of and resistance to dataveillance, since it does not reach the latter's ideological kernel. This kernel is not the myth that data can speak for itself but the declaration that data need never amount to knowledge, because there is nothing to know and no sense in knowing. In public discourse about dataveillance, the possibility most anxiously disavowed is that *advocates of dataveillance are telling the truth*, so that the symbolic production or attribution of meaning is not even cynically regarded as a ground of social bonds.

This anxiety pervades journalistic attempts to grapple with the Snowden revelations. For example, in the PBS documentary 'United States of Secrets' (2014), the dramatic conflict centers on the incapacity of the people's representatives to serve the public interest. The agents practicing surveillance 'in all good conscience' still cannot know: the data is ever insufficient; there is too much of it; it yields only partial, conflicting information; it resists coherence; it cannot take the place of 'human intelligence' based on relationships. Even their own legal authorization to collect it is concealed from them. And since the programs are classified, insiders who regard their own activity as a transgression of legitimate public authority are nevertheless powerless to impede it. By framing the story in this way, this performance of watchdog journalism delivers the observation of the public's paradoxical impotence as observer: what it knows is precisely that it neither knows nor is able to confer legitimacy.

Moreover, the documentary devotes considerable diegetic time to bewildered speculation about the excessive yet largely futile efforts by the intelligence apparatus to prevent leaks. Exorbitant threats and aggressive gestures (searches, confiscations, intimidations, interrogations, etc.) leveled against a suspected network of conspirators amount to little beyond pointless financial hardship for a couple of hapless bureaucrats. In fact, the very requirement to maintain secrecy hampers efforts to police it, blocking the intramural flow of information necessary for effective institutional control. Moreover, surveillance is commonly rationalized by direct appeal to non-knowledge, whether by corporate claims that algorithms 'work by themselves', without human intervention, by state claims to anonymize data, or, more radically, by claims that the unimaginable quantity of data collected, precisely because it is effectively comprehensive, tells us nothing, serving only to generate statistical ranges of correlation legible exclusively in algorithmic terms.

One uncanny sequence in the film epitomizes the deadlock at stake. The story concerns California state Senator Liz Figueroa's meeting with Sergei Brin concerning Google's email data mining practices. According to Figueroa, Brin volunteered the so-called Robot Defense, claiming that if Google software bots read user email, extract relevant data for aggregated analysis, and then self-destruct, user privacy remains intact. The Senator incredulously rejects this interpretation, insisting to Brin, and to the audience, that such a procedure obviously violates privacy. But why? If she is right, then software processing of user data amounts to a form of knowledge that Brin understands as inherently

foreclosed. So we are left with two options: either Figueroa is right, and algorithms really do function as the Other of the Other; or Brin is right, and the entire symbolic edifice is simply obsolete. Clearly, Figueroa cannot countenance the latter possibility, preferring to imbue Google bots with the very symbolic capacities they are designed to supersede. Her outraged refusal is uncanny in its incapacity to offer any reasons whatsoever in support of the willful misreading of algorithmic dataveillance. She simply, and urgently, insists that the bots do violate privacy, unable to explain how this is so: 'That robot has read everything. Does that robot know if I'm sad, or if I'm feeling fear, or what's happening? And he looked at me and he said, "Oh no. That robot knows a lot more than that"'.

Brin's point, of course, is that the robot's knowledge is of the wrong sort, which is what Figueroa cannot entertain. Yet this is also the primary justification for state surveillance, offered explicitly in the Obama administration's own claims to be 'spying for the people' and the President's perfunctory appeal to the principle of democratic supervision:

> I welcome this debate. And I think it's healthy for our democracy. I think it's a sign of maturity, because probably five years ago, six years ago, we might not have been having this debate. … I think that's good that we're having this discussion. … But I think it's important to recognize that you can't have a hundred percent security and also then have a hundred percent privacy and zero inconvenience. … And the fact that they're under very strict supervision by all three branches of government and that they do not involve listening to people's phone calls, do not involve reading the emails of U.S. citizens or U.S. residents, absent further action by a federal court, that is entirely consistent with what we would do, for example, in a criminal investigation. (2013)

Obama's reassurance that 'nobody is listening' is surely disingenuous, but it is far more disturbing if taken at face value.[10] Here, beyond the risk that the procedures or the data will be misused, that calls will be directly overheard or innocent citizens targeted, or that the dragnet approach contravenes democratic principles, lies the very

[10] Roger Clarke pointed out some three decades ago that 'rather than individuals themselves, what is monitored is the data that purport to relate to them. As a result there is a significant likelihood of wrong identification' (Clarke 1988, 406). But the correlational logic of dataveillance has since rendered this problem largely irrelevant. This is because today the 'risk' of misidentification is a positive feature of the system, *supposed to immunize the NSA* from charges of 'spying on American citizens'. It is also what makes web marketing work, since ads are targeted to activity patterns *as opposed to* discrete values, needs, preferences, psychographic features, etc. that standard advertising uses to sort audiences. Although marketing firms claim that activity is an indicator of interests, it is an indicator supposed to bypass, rather than reflect, consumer preferences. In other words, it is supposed to address our or 'revealed' preferences rather than those identified by interpretive analysis such as surveys, focus groups, psychological studies, etc. Hence the sales pitch and the nightmare scenario for this sort of targeting are one and the same: 'Advertisers know you better than, and *before*, you do'. The force of this claim lies not in its validity but precisely in its capacity to circumvent or *preempt all questions of validity*. Algorithmic targeting always hits its mark, because it determines what this mark is in the first place, as well as what counts as 'hitting' it.

transformation of what the callers themselves regard as communication into an alien form defined by the conjunction of database and algorithm. Neither accessible to nor comprehensible by people at all, this 'communication' does not aim at understanding and thus neither presupposes nor reproduces the rules of the social game, which are expelled beyond the scope of what it means to maintain collective life.

In this regard, dataveillance may seem homologous with Kantian duty: it appears utterly indifferent to the particularity of social bonds and affective investments that make life intelligible, and therefore livable. There are, however, crucial differences. Most obviously, data does not enjoin or even address, opaquely circulating among computational systems or, conversely, appearing tautologically to return our own messages to us in place of responses from an Other. Unlike the sadistic superego, it commands nothing. And rather than generating means of comprehending subjects and relationships, it confronts them with the statistical promiscuity of sociality, which it asserts is governed not by chains of meaning (however ephemeral or recalcitrant) but by chance, probability, covariance, emergence, etc.

As Rita Raley points out, this sort of data collection is inherently speculative, amassed 'so as to produce patterns, as opposed to having an idea from which one needs to collect supporting data. Raw data is the material for informational patterns still to come, its value is unknown or uncertain until it is converted into currency of information (Raley, 123).[11] Put another way, it is only by means of producing a kind of permanent cognitive deficit that it can function as currency. More to the point, Raley's own analysis of 'data derivatives' converges with Massumi's and Amoore's arguments about preemption: the genius of speculative data analysis is that it inoculates decision-makers against the imperatives of causality. They can claim credit for 'preventing' events that might never have taken place, precisely because it is impossible to know one way or the other. And they can excuse failures as results of reducible but ineliminable probability.

The Mute People of Data Democracy

To be clear, what matters here is not the likelihood of realizing the disturbing promise of nonrepresentational knowledge but the function of this promise in organizing the socio-political field. In an illuminating essay, Rob Horning (2014) frets that

> Surveillance and quantification produce the self as a set of statistics, a manipulatable data object.… Rather than capturing 'our own will', it circumvents it; it predicts what we want without our willing anything. Even if the prediction is initially wrong, preferential placement in the

[11] Rita Raley, 'Dataveillance and Countervailance', in *Raw Data Is an Oxymoron*, Lisa Gitelman, ed. (2013). For Raley, 'the act [of countervailance] is neither a protocol nor sabotage but both, and self-reflexively so' (138). Indeed, 'positioned as we are within the dataveillance regime, we cannot but employ the tactics of immanent critique'. However, it is not precisely 'we' who employ them; as the system includes this critique as an integral feature of its design and operation, 'we' are beside the point – as is 'critique'

> platform, and the efficacy of the subsequent feedback loops can make it so…(social media plus Big Data) makes our will superfluous.

Like Bowker (2014), Andrejevic, Raley (2013), and boyd & Crawford (2012), Horning is rightly skeptical of claims made on behalf of Big Data, which 'only raises more questions than it answers about the populations under surveillance', because 'the more data you have, the more crises of interpretation you confront, leading to more data collection and deeper crises'. This skepticism, however, tacitly accepts what the operational axioms of Big Data explicitly deny, namely that the goal is some form of understanding that calls for interpretation: 'The more information about the masses we have, the more we uncover that there is to know, which makes the masses recede even further into their massive inscrutability'. Far from marking the limit of Big Data, however, this apparent paradox is simply its functional principle. The aim of dataveillance is not modeling or understanding an external object but the endless reproduction of this object's statistical indeterminacy and opacity as the protocol of the system's continuing operation. This is what leads Andrejevic to argue that 'infoglut' is itself the mechanism of power. We can thus see why in hyperreality the two inevitably converge: power (as vigilant connectivity) and resistance (the silence or recalcitrance attributed to the masses) belong to the same logic of simulation.

Both dimensions are clearly discernable in the position incongruously staked out by Assange, who dismisses NSA data gathering as self-defeating because it can never generate the superfluous 'global picture', while nevertheless insisting that 'spying for the people' is essential to resist and supervise the ubiquitous and invasive dataveillance apparatus. Yet again we are caught between two interrelated yet incompatible alternatives: dataveillance is the eclipse of the social *and* it is overrated, unable finally to deliver on its promise. If the latter is true, we need not worry about the former; if the former is true, the latter cannot be. It almost goes without saying that this inconsistency marks the place of 'the people' of democracy:

> For Baudrillard, those de-individuated populations ruled over through monitoring, statistical modeling, and predictive analytics are supposed to be 'the social' – i.e., the 'reality' of what the data measures, the population on which power can be exercised by what he tends to call the 'system' – but they instead are becoming 'the masses', an amorphous blob of individuals that eludes certain management by its sheer inertia, which proves uninterpretable even as the system throws more resources at trying to understand what it wants or where it is headed. (Horning 2014)

In contrast to Žižek's return to Kant's public use of reason, which presupposes symbolic forms of identification, misrecognition, affective investment, and fetishistic disavowal, for Horning, as for Dean, participation and speech *are* the means of 'reducing' the people to the masses. It is therefore reticent silence – the inverse of public reason – that 'speaks in the name of the people'. This might be tolerable, except that this reticence is itself an effect of algorithmic dataveillance, which implacably produces the illegible, mute masses.

Accordingly, there is nothing agentive or proto-democratic in this 'resistance'; it conceals no secret, projects no space of appearance, and harbors no capacity to supervise.

The turn to 'the people', then, cannot aim at refurbishing the democratic ideal that Žižek, like Assange, has long since rejected as an ideological ruse. Rather, it aims precisely at recovering the relatively reassuring logic of cynical reason itself. Accordingly, the public discussion of the whistleblowers involves the kettle logic of the incest taboo – that of 'prohibiting the impossible' supposed to found the symbolic. This is the only way to account for the prevailing media frame that persistently articulates together mutually exclusive alternatives, effectively asserting that algorithmic dataveillance is inoperable *and therefore* must be forbidden. Or, conversely, that revealing the secrets of dataveillance poses grave danger ('treason') even though the databases are both harmless ('no one is listening') and inscrutable (there is no context adequate for making sense of it all). 'They' must be prohibited from knowing everything not simply because they cannot know it *properly* (this is already presupposed as a basic feature of the symbolic order as such), but because the sort of knowledge dataveillance seems to generate short-circuits the logic of the symbolic altogether. We can tolerate – in fact, we expect and even demand – the authorities to transgress their official limits, proving unworthy of their roles as bearers of democratically legitimized authority. What we cannot tolerate is the possibility that, with all available information at their disposal, they still cannot know what we insist they must not know. The limit they confront is not that of the unrepresentable or the secret (which is, after all, the condition of possibility for privacy and subjectivity); rather, it is that algorithmic dataveillance renders representability and secrecy superfluous for social reproduction. Prohibiting this impossible form of knowledge is the project of restoring symbolic epistemology to its 'proper' place as the ground of the social.

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